

Response to the Office Action Dated November 18, 2004
Serial No. 10/779,291

REMARKS

In the Office action, the Examiner noted that claims 1-37 are pending in the application, and that claims 1-37 are rejected. By this response, claims 3-7, 10, 12-13, 19, 23-26, 29-32 and 35 continue unamended; and claims 1, 2, 8-9, 11, 14-18, 20, 21, 27-28, 33-34, 36, and 37 are amended.

Additionally, Applicant notes that the terms "opto-isolator circuit" and "photo-isolator" have been amended to recite "isolation circuit" where indicated in the Claims. Support is found in the Abstract.

In view of the following discussion, the Applicant submits that none of the claims presently in the application are objectionable or indefinite. Thus, the Applicant believes that all of these claims are now in allowable form.

OBJECTION TO THE CLAIMS

The Examiner objected to claims 15-17, 28, 36, and 37 because of informalities. The Applicant has amended the claims as indicated above such that the Applicant believes that the informalities cited by the Examiner no longer exist. As such, the Applicant requests reconsideration and withdrawal of the objections to the claims.

REJECTION OF CLAIMS UNDER 35 U.S.C. §112

The Examiner rejected claims 1-10, 16-21, and 36 under 35 U.S.C. §112, second paragraph. The Applicant has amended claim 1 as indicated above. The amendments are fully supported by the specification, as originally filed, and add no new matter. As such, the Applicant requests reconsideration and withdrawal of the 35 U.S.C. §112, second paragraph rejection of claim 1.

DOUBLE PATENTING REJECTIONS

The Examiner provisionally rejected claims 1-37 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-35 of United States patent 6,693,395, issued August 6, 2002. The Examiner stated that "[a]lthough the conflicting claims are not identical, they are not patentably distinct from each other because both sets of claims recite the same subject matter except that claims 1-37 of the instant application recite an

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on/off switching while claims 1-35 of '395 recite one of on/off switching and dimming."

Applicant has filed herewith a terminal disclaimer under 37 C.F.R. 1.130(b). As such, Applicant respectfully requests that the obviousness-type double patenting rejection be withdrawn.


Conclusion

Thus, Applicant submits that none of the claims presently in the application are objectionable or indefinite. Consequently, the Applicant believes that all these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring the issuance of a final action in any of the claims now pending in the application, it is requested that the Examiner telephone Alfred M. Walker at (631) 361-8737 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

Dated: April 18, 2005


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CERTIFICATE OF FAX TRANSMISSION

I certify that this correspondence is being deposited with by fax to 703-872-9306 on the date indicated below.

Date: April 18, 2005


Alfred M. Walker